Application Number	10/782,831	Ÿ	Applicant(s)/Patent (Reexamination HIROTSUNE ET AL			
Document Code - DISQ		Internal Doc		cument – DO NOT MAIL		
TERMINAL DISCLAIMER	⊠ APPROV	ED	☐ DISAPP	☐ DISAPPROVED		
Date Filed : February 14, 2006	to a Te	t is subject erminal aimer				
Annewad/Disannrayad h		<u></u>				
Approved/Disapproved by:						
Henry D. Jefferson						

U.S. Patent and Trademark Office

PTO/SB/25 (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Unosciting Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION

Docket Number (Optional)

501.40492CX1

cation of: HIROTSUNE, et al. Per Record

Application No.: 10/782,831

Filed: 2/23/2004

FOI: OPTICAL RECORDING MEDIUM HAVING UNREADABLE RESTRICTED BLOCK(S), AND SYSTEMS

INCORPORATING SAME

The owner, Hitachi, Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,788,642 and the grant of any patent granted on pending second Application Number 10/782,832, filed on February 23, 2004, of U.S. Patent No. 6,788,642 and any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,788,642 and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of U.S. Patent No. 6,788,642 and any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check	either	box	1	or	2	below.	if	appro	priate.
-------	--------	-----	---	----	---	--------	----	-------	---------

1. []	For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency
		etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information

	and belief are believed to be true; and further that these state statements and the like so made are punishable by fine or in States Code and that such willful false statements may jeopa	prisonment, or both, under Section 1001 of Titl	e 18 of the United
	2. The undersigned is an attorney or agent of record.	Tuck feen	02/14/2006
- 1	5/2006 HALI11 00000100 10782831 C:1814 130.00 GP	Signature Melvin Kraus - Reg.No. 22.466 Typed or printed name	Date
	·	(703) 312-6600 Telephone Number	
	▼ Terminal disclaimer fee under 37 CFR 1.20(d) is included.		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			24-Feb-06	APPL. S. N:	10782831		
To Exam	iner:		DINH, TAN X.	Art Unit	2653		
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: 0 Drop-Off Location	Dase JEF-2D68		
SUBJEC [*]	r: Decisio	n on Te	rminal Disclaimer(T.D.) filed:				
form para or have a	agraphs i	dentified	d by this informal memo in your ease see me or the Special Progr	next Office action to notify appl ram Examiner, THIS IS AN INFO	f you agree, please use the appropriate licant of the T.D. If you disagree BRMAL, INTERNAL MEMO ONLY. TION FILE. When your action is complete,		
please in	itial, date	and re	turn this memo to me. THANK Yo	ou.			
☑	The T.D.	is PROF	PER and has been recorded (see	14.23).			
	The T.D.	is NOT	PROPER and has not been accep	oted for the reason(s) checked t	pelow (see 14.24):		
			fee of has not been su	abmitted nor is there any author	rization in the application file for the		
		The T.I		he interest of the business entit	he T.D. has not stated the extent of y represented by the signature)		
			D. lacks the enforceable only dur patenting rejection, Rule 321(b)		- needed to overcome a non-statutory		
The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The pe	rson who signed the T.D.:	•	·		
			is not an attorney "of record"	(see 14.29 and 14.29.01).			
			has failed to state his/her cap	eacity to sign for the business er	ntity (see 14.28).		
			is not recognized as an officer	r of the assignee (see 14.29 & p	ossible 14.29.02).		
		nor is to	the reel and frame number speci 7 CFR 3.73(b) and 1140 O.G. 72	fied as to where such evidence). NOTE: This documentary evid	s) to assignee has been submitted, is recorded in the Office dence or the specifying of the reel and rd in the application (see 14.30).		
		The T.0	D. is not signed (see 14.26 & 14.	.26.03).			
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).					
	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).				eexam or reissue cases being		
		The pe	riod disclaimed is incorrect or no	t specified (see 14.26, 14.27.0)	2 or 14.26.03).		
		Other:					
Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.							
I have ap	propriate	ely notif	ied $applicant(s)$ of the status of t	the Terminal Disclaimer filed in	this case.		
Ex.Initial	s:		Date:		Log Date:		